

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
(Boston Division)

UNITED STATES SECURITIES AND )  
EXCHANGE COMMISSION, )  
Plaintiff, ) Civil Action No. 05-10983 (NMG)  
v. )  
STEVEN E. NOTHERN, )  
Defendant. )

**PARTIES' JOINT MOTION TO ENLARGE TIME BY WHICH  
PLAINTIFF MAY MOVE TO STRIKE CERTAIN AFFIRMATIVE DEFENSES**

Plaintiff United States Securities and Exchange Commission (“SEC”) and defendant Steven E. Nothern (“Nothern”) jointly move to enlarge the time by which the SEC may move to strike certain affirmative defenses raised in Nothern’s Answer from August 3, 2005 up to and including August 24, 2005. As grounds therefore, the parties state that the SEC is considering moving to strike Nothern’s affirmative defenses of laches, estoppel and waiver (Second, Third and Fourth Affirmative Defenses). Nothern is reviewing the issue of whether the defenses should be withdrawn and considering the arguments presented by the SEC. Pursuant to Local Rule 7.1(a), the parties have begun to confer about the issues and are attempting in good faith to

resolve or narrow the issues before any motion is filed. The additional time is required to complete these discussions so as to adequately present the issue(s) to the Court, if necessary.

Respectfully submitted,

STEVEN E. NOTHERN

By his attorneys,

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/s/  
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UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

By its attorneys,

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/s/  
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Dated: August 2, 2005